

### **REMARKS**

In the Final Office Action, the Examiner rejected claims 1, 2, 4-32, and 44-50. By this paper, Applicants have amended claims 1, 10-13, 21, 22, 24, 25, and 29-32. These amendments do not add any new matter and support for the amendments may be found at least by viewing FIGS. 13A-13C, with specific attention to reference numerals 110, 112, and 114, as well as page 22, line 11 – page 23, line 2 of the originally filed specification. Upon entry of these amendments, claims 1, 2, 4-32, and 44-50 remain pending in the present application and are believed to be in condition for allowance. In view of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

### **Claim Rejections under 35 U.S.C. § 103(a)**

In the Final Office Action, the examiner rejected claims 1-2, 4-6, 8-16, 18-22, 24, and 44-47 under 35 U.S.C. § 103(a) as unpatentable over Raff, U.S. Patent No. 6,785,868 (hereinafter “Raff”), in view of Gotou, U.S. Patent No. 6,020,828 (hereinafter “Gotou”), claims 7 and 17 as unpatentable over Raff and Gotou in view of Edwards et al., U.S. Pub. No. 2002/0078379 (hereinafter “Edwards”), claims 25-32 as unpatentable over Raff in view of Edwards et al., and claims 48-50 as unpatentable over Raff in view of Edwards et al. in view of Gotou. Applicants respectfully traverse these rejections.

The burden of establishing a *prima facie* case of obviousness falls on the examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (B.P.A.I. 1979). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). However, it is not enough to show that all the elements exist in the prior art since a claimed invention composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). It is important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. *Id.* Specifically, there must be some articulated reasoning with a rational underpinning to support a conclusion of

obviousness; a conclusory statement will not suffice. *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006). Indeed, the factual inquiry determining whether to combine references must be thorough and searching, and it must be based on *objective evidence of record*. *In re Lee*, 61 U.S.P.Q.2d 1430, 1436 (Fed. Cir. 2002).

***Omitted Features of Independent Claims 1, 13, and 25***

Raff in view of Gotou and Edwards fail to teach all elements of independent claims 1, 13, and 25. Independent claim 1 recites, *inter alia*, “a calendaring program running on the processor, the calendaring program adapted to provide at least one distinct calendar corresponding to only family-related matters, at least one distinct calendar corresponding to only work-related matters, and at least one distinct calendar corresponding to a merger of the family-related matters and the work-related matters.” (Emphasis added.) Similarly, independent claim 13 recites, *inter alia*, “a calendaring program running on at least the first device, the calendaring program adapted to provide at least one distinct calendar corresponding to only family-related matters, at least one distinct calendar corresponding to only work-related matters, and at least one distinct calendar corresponding to a merger of the family-related matters and the work-related matters.” (Emphasis added.) Finally, independent claim 25 recites, *inter alia*, “a calendaring program running on at least the family/work device, the calendaring program adapted to provide at least one distinct calendar corresponding to only family-related matters and at least one distinct calendar corresponding to only work-related matters.” (Emphasis added.)

Accordingly, Appellants respectfully submit that each of independent claims 1, 13, and 25 recite a calendaring program that provides “at least one distinct calendar corresponding to only family-related matters” and “at least one distinct calendar corresponding to only work-related matters.” The instant application, for example, describes and illustrates at least one distinct calendar corresponding to “only family-related matters” and a separate at least one distinct calendar corresponding to “only work-related matters.” See Specification, FIGS. 13A-13C; page 22, line 11 – page 23, line 2. Indeed, the specification clearly states that “each item in the work calendar 110 is

clearly work-related, and each item on the personal calendar 112 is clearly related to a personal matter.” See Specification, page 22, lines 12-14.

In contrast, the portion of Raff relied upon by the Examiner (*see* Final Office Action, pages 2-3), which teaches an “individual” calendar that contains both personal information, such as “GET JOHN PRESENT,” and work-related information, such as “LUNCH PROPOSAL FOR ADM’S REVIEW.” See Raff, Fig. 10A; col. 10, lines 31-33, 49-52. Thus, the calendar disclosed by Raff cannot be properly read to teach at least one distinct calendar corresponding to “only family-related matters” and at least one distinct calendar corresponding to “only work-related matters,” as recited in independent claims 1, 13, and 25 because Raff uses the term “personal” to describe matters that pertain to the individual user which may be composed of both the individual’s work-related and family-related matters. *Id.*

Additionally, Gotou fails to obviate the aforementioned deficiencies with respect to Raff. Specifically, Gotou appears to teach a selective call receiver that stores a plurality of icons associated with different information. See Gotou, Abstract. However, Gotou does not appear to teach a calendaring program that provides “at least one distinct calendar corresponding to only family-related matters” and “at least one distinct calendar corresponding to only work-related matters,” as recited in independent claims 1, 13, and 25. Accordingly, Gotou cannot overcome the deficiencies of Raff. Moreover, the remaining prior art of record also fails to overcome the above identified deficiencies of Raff with respect to independent claims 1, 13, and 25.

Therefore, the cited art, taken alone or in hypothetical combination, fails to teach each element of independent claims 1, 13, and 25. As such, Applicants respectfully submit that a *prima facie* case of obviousness under 35 U.S.C. § 103(a) against independent claims 1, 13, and 25 has not established. Accordingly, Appellants respectfully request withdrawal of the rejection allowance of independent claims 1, 13, and 25, as well as all claims depending therefrom.

**Payment of Fees and General Authorization for Extensions of Time**

Applicant believes the requisite fee for the RCE and Amendment was paid at the time of the initial submission of this Response. However, if for any reason this charge fails, the Commissioner is authorized to charge any additional fees which may be necessary to advance prosecution of the present application, to Deposit Account No. 08-2025, Order No. 200301965-1/FLE (COMP:0200A), *only if such fees have not already been charged.*

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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